

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Epstein et al.
SERIAL NUMBER: 10/627,543 EXAMINER : Not Yet Assigned
FILING DATE: July 25, 2003 ART UNIT : 1645
FOR: REGULATED APTAMER THERAPEUTICS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (4 pages), in duplicate;
3. Copies of cited references A3-A24, B1-B10, and C2-C71; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

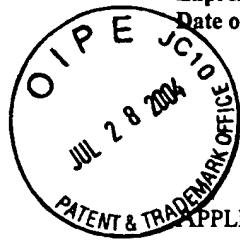
Applicants believe that no fee is due. However, the Commissioner is authorized to charge any fees that may be due, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 23239-537 (ARC-37). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits in the above-identified case.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANT: Epstein et al.
U.S.S.N.: 10/627,543

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Applicants believe that no fee is due. However, the Commissioner may charge any fees that may be due, to Deposit Account No. 50-0311, Reference No.: 23239-537 (ARC-37).

Respectfully submitted,

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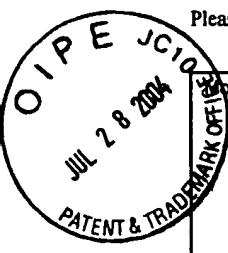
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Information Disclosure Statement by Applicant (use as many sheets as necessary)		Application Number	10/627,543
		Filing Date	July 25, 2003
		First Named Inventor	Epstein
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	23239-537

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A3	5,270,163	12/14/93	Gold et al.			
	A4	5,475,096	12/12/95	Gold et al.			
	A5	5,476,766	12/19/95	Gold et al.			
	A6	5,496,938	3/5/96	Gold et al.			
	A7	5,567,588	10/22/96	Gold et al.			
	A8	5,580,737	12/3/96	Polisky et al.			
	A9	5,637,459	6/10/97	Burke et al.			
	A10	5,648,214	7/15/97	Nieuwlandt et al.			
	A11	5,660,985	8/26/97	Pieken et al.			
	A12	5,672,695	9/30/97	Eckstein et al.			
	A13	5,683,867	11/4/97	Biesecker et al.			
	A14	5,698,687	12/16/97	Eckstein et al.			
	A15	5,705,337	1/6/98	Gold et al.			
	A16	5,707,796	1/13/98	Gold et al.			
	A17	5,763,177	6/9/98	Gold et al.			
	A18	5,817,635	10/6/98	Eckstein et al.			
	A19	5,859,228	1/12/99	Janjic et al.			
	A20	5,958,691	9/28/99	Pieken et al.			
	A21	6,011,020	1/4/00	Gold et al.			
	A22	6/051,698	4/18/00	Janjic et al.			
	A23	5,589,332	12/31/96	Shih, et al.			
	A24	5,834,186	11/10/98	George, et al.			

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1	WO	98/08974	Intelligene Ltd.	03/05/98	
	B2	WO	98/27104	Yale University	06/25/98	
	B3	WO	01/66721	Ribozyme Pharmaceuticals, Inc.	09/13/01	
	B4	WO	00/70329	Brandeis University	11/23/00	
	B5	WO	99/31276	Nexstar Pharmaceuticals, Inc.	6/24/99	

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FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B6	WO	03/014375	Archemix Corporation	2/20/03	
	B7	WO	02/22882	Archemix Corporation	3/21/02	
	B8	WO	91/19813	The University of Colorado Foundation, Inc.	12/26/91	
	B9	WO	92/07065	Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften E.V.	4/30/92	
	B10	WO	98/18480	Nexstar Pharmaceuticals, Inc.	5/7/98	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C2	Breaker (1997). Nat Biotech 15: 427-431.
	C3	Breaker (1997). Chem Rev 97: 371-390.
	C4	Breaker (1999). Intracellular Ribozyme Applications in Principles and Protocols, pgs. 1-19; Horizon Press, Wymondham UK, Rossi and Couture, eds.
	C5	Breaker (2002). Curr Opin Biotech 13: 31-39.
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	C16	Robertson and Ellington (1999). Nat Biotech 17: 62-66.
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	C18	Robertson and Ellington (2001). Nat Biotech 19: 650-655.
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	C20	Soukup and Breaker (1999). Proc Natl Acad Sci USA 96: 3584-3589.
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	C23	Soukup and Breaker (1999). Tren Biotech 17: 469-476.
	C24	Soukup and Breaker (2000) in Ribo Biochem Biotech, Eaton Publ: 149-170, Krupp & Gaur, eds.
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	C30	Seiwert, et al., (2000). Chem Biol 7: 833-843.
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	C60	Moazed and Noller, (1987). Nature 327: 389-394.
	C61	Yoshizawa et al., (2002). Biochemistry 41: 6263-6270.
	C62	Carter et al., (2000). Nature 407: 340-348.
	C63	Wallis, et al., (1995). Chem. Biol. 2: 543-552.
	C64	Leipold, et al., (2000). Biochemistry 39: 14984-14992.

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Exam er Initi als	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C65	Zharkov et al., (1997). J. Biol. Chem. 5335-5342.
	C66	Mathews et al., (1999). J. Mol. Biol. 288: 911-940.
	C67	Famulok et al., (2001). Chem. Biol. 8: 931-939.
	C68	Ellington and Szostak, (1990). Nature 346: 818-822
	C69	Hermann, (2000). Angew. Chem. Int. Ed. 39: 1890-1905
	C70	Thomas et al., (1997). J. Biol. Chem. 272: 27980-27986.
	C71	Breaker (1996). Curr Opin Biotech 7: 442-448.

Examiner Signature		Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1942757v1